PLAINTIFFS Kyle Everett, Trustee in Bankruptcy ATTORNEYS (Firm Name, Address, and Telephone No.) Finestone Hayes LLP, 456 Montgomery St 20th Fl, San Francisco, CA 94104, (415) 414-0466 PARTY (Check One Box Only) Debtor U.S. Trustee/Bankruptcy Admin Tcreditor Uter U.S. Trustee/Bankruptcy Admin Turstee CAUSE OF ACTION WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLIDING ALLUS, STATUTES INVOLVED) Complaint for Avoidance and Recovery of Fraudulent Transfer, Disallowance of Claim, and Declaratory Relief (11 U.S.C. §§ 502, 544, 548, 550 and California Civil Code § 3439.04 et seq.) NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.) FRBP 700(1)—Recovery of Money/Property - §547 proference 11-Recovery of money/property - §547 proference 11-Recovery of money/property - §548 faudulent transfer 11-Recovery of money/property - §549 faudulent transfer 11-Recovery of money/property - §5	ADVERSARY PROCEEDING COVER SHEET		ADVERSARY PROCEEDING NUMBER	
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FRDY /001(10) Determination of Removed Action		91-Decla	ratory judgment	
L L DO-LASCHARGEADHLY - 82/MAICLELEAL PROTEVIAX CIAIMS	FRBP 7001(6) – Dischargeability 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims	FRBP 7001(1	10) Determination of Removed Action	
62-Dischargeability - §523(a)(2), false pretenses, false representation,		01-Deter	mination of removed claim or cause	
actual fraud Other			a	
5/-Dischargeability - §3-25(a)(4), Iraud as inductary, embezziement, farceny	67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny	_	SS-SIPA Case – 15 U.S.C. §§78aaa et.seq.	
(continued next column) O2-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)	(continued next column)			
☐ Check if this case involves a substantive is sue of state law ☐ Check if this is asserted to be a class action under FRCP 23	☐ Check if this case involves a substantive is sue of state law	□ Check if	this is asserted to be a class action under FRCP23	
□ Check if a jury trial is demanded in complaint Demand \$250,000.00	☐ Check if a jury trial is demanded in complaint	Demand \$2	250,000.00	
Other Relief Sought Disallowance of Claim	Other Relief Sought Disallowance of Claim			

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B1040 (FORM 1040) (12/15)

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES					
NAMEOF DEBTOR Benja Incorporated, aka EPHE Corporation		BANKRUPTCY CASE NO. 20-30819 DM			
DISTRICT IN WHICH CASE IS PENDING Northern District of California		DIVISION OFFICE San Francisco	NAMEOF JUDGE Hon. Dennis Montali		
RELATED ADVERSARY PROCEEDING (IF ANY)					
PLAINTIFF	DEFENDAN'	Γ	ADVERSARY PROCEEDING NO.		
DISTRICT IN WHICH ADVERSARY IS PENDING		DIVISION OFFICE	NAME OF JUDGE		
SIGNATURE OF ATTORNEY (OR PLAINTIFF)					
/s/ Stephen D. Finestone					
DATE November 13, 2021		PRINT NAMEOF ATTORNEY (OR PLAINTIFF) Stephen D. Finestone			

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the juris diction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 1040, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system(CM/ECF). (CM/ECF captures the information on Form 1040 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the boxon the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is prose, that is, not represented by an attorney, the plaintiff must sign.

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